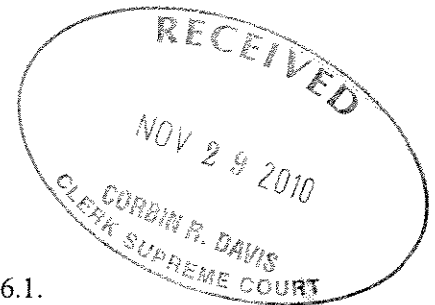


November 24, 2010

Corbin Davis
Clerk of the Court
Michigan Supreme Court
PO Box 30052
Lansing, MI 48909



Dear Mr. Davis:

I am writing to express my support for Alternative B as an amendment to MPRC 6.1.

Throughout my career as a lawyer and public official, I have acutely recognized the need for the bar to provide pro bono legal services to the poor in a systematic way. It has been my experience that people overestimate the amount of aid offered by various legal aid organizations and as a consequence do not fully appreciate the importance of lawyers providing legal services to the poor.

Alternative B addresses this concern by powerfully underscoring the duty of lawyers to provide pro bono legal services in a way that the current version of the rule simply does not accomplish. More precisely, Alternative B emphasizes the importance of providing legal services and not services that may be offered by others. The distinct duty of lawyers in a democratic society is often lost amid the need for business development and the desire to provide non legal services to causes favored by individual lawyers. Moreover the standard sets an alternative financial benchmark that is more in keeping with the realities of the legal economy.

Equally as important, Alternative B offers extensive commentary which I believe will be valuable to law firms and individual lawyers planning to undertake pro bono activities. Notably, Alternative B is consistent with both the voluntary standard and the ABA's Model Rule of Professional Conduct 6.1. As such, it provides valuable guidance to lawyers.

Criticism of Alternative B seems to focus on the idea that by emphasizing the needs of the poor, the proposal is somehow politicized. I disagree. The idea that everyone should have access to competent representation to redress grievances or defend themselves has a long history within American legal tradition. This ideal is neither Democratic or Republican; liberal or conservative. While one can point to numerous groups and causes deserving of representation, financial need is the appropriate and best touchstone for determining who should receive free legal representation. In fact, many of the groups mentioned by Mr. Justice Markman are currently served by Dickinson Wright on a pro bono basis because of their financial need.

In sum, I believe Alternative B best explicates both the need for pro bono legal services to the poor as well as provides valuable guidance on the issue. I respectfully urge you to adopt it.

Sincerely,

Dennis W. Archer

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